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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

PAYWARD, INC.; PAYWARD VENTURES,
INC.,

Defendants.

CASE NO.: 3:23-cv-06003-WHO

Judge: Hon. William H. Orrick III
Complaint Filed: November 20, 2023
Current Initial CMC Date: Feb. 20, 2024
Trial Date: None

STIPULATION AND ORDER
MODIFYING THE BRIEFING
SCHEDULE AND EXTENDING PAGE
LIMITS FOR DEFENDANTS'
PROPOSED MOTION SEEKING
DISMISSAL OF THE COMPLAINT

1 Plaintiff Securities and Exchange Commission (“Plaintiff”), and Defendants Payward, Inc.
2 and Payward Ventures, Inc. (“Defendants” and, with Plaintiff, the “Parties”) stipulate as follows:

3 **WHEREAS**, on November 20, 2023, Plaintiff filed the complaint in the above-captioned
4 action against Defendants (the “Complaint”) (ECF No. 1);

5 **WHEREAS**, on December 8, 2023, the Court entered an Order setting an Initial Case
6 Management Conference (“CMC”) for February 20, 2024 (ECF No. 17);

7 **WHEREAS**, pursuant to L.R. 6-1(a), the Parties stipulate to extend the deadline by which
8 Defendants must respond to the Complaint until February 22, 2024;

9 **WHEREAS**, Defendants anticipate filing a motion seeking dismissal of the Complaint;

10 **WHEREAS**, the Parties mutually seek additional time and pages to fully brief issues for the
11 Court;

12 **THE PARTIES STIPULATE AND REQUEST AN ORDER**, pursuant to Civil Local
13 Rules 6-1(b), 6-2, 7-11, and 7-12, to modify the briefing schedule and page limits related to
14 Defendants’ proposed motion as follows:

15 1. Defendants shall file any motion seeking dismissal of the Complaint (“Dismissal
16 Motion”) on or before February 22, 2024. Defendants’ memorandum of law in support of the
17 Dismissal Motion may be up to 30 pages.

18 2. Plaintiff shall file its opposition to the Dismissal Motion on or before April 9, 2024.
19 Plaintiff’s memorandum of law in opposition to the Dismissal Motion may also be up to 30 pages.

20 3. Defendants shall file their reply in support of the Dismissal Motion on or before May
21 9, 2024. Defendants’ reply memorandum of law in support of the Dismissal Motion may be up to
22 15 pages.

23 4. If any *amici* are granted leave by the Court to file briefs in support of or in opposition
24 to the Motion, any *amicus* briefs in support of Defendants shall be filed on or before February 29,
25 2024, and any *amicus* briefs in support of Plaintiff shall be filed on or before April 16, 2024. Any
26 prospective *amicus* may seek leave to file an *amicus* brief by means of a motion filed with the Court

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1 on or before the foregoing deadlines. The Parties reserve their rights to object to the participation of
2 any *amici*.

3 5. Defendants shall notice the hearing on their Dismissal Motion for Wednesday, June
4 12, 2024, at 2:00 p.m., or another date determined by the Court.

5 6. Nothing in this Stipulation shall be deemed to constitute a waiver of any rights,
6 defenses, objections or any other application to any court that any Party may have with respect to the
7 claims set forth in the Complaint or otherwise in the above-captioned action.

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9 DATED: January 10, 2024
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1 SECURITIES AND EXCHANGE
2 COMMISSION

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27 *Counsel for Defendants Payward, Inc. and
28 Payward Ventures, Inc.*

20 PURSUANT TO STIPULATION, IT IS SO ORDERED

21 Dated: January 18, 2024

22 By: 
23 HON. WILLIAM H. ORRICK III
24 UNITED STATES DISTRICT JUDGE

1 **FILER'S ATTESTATION**

2 I, Rahul Mukhi, am the ECF User whose ID and password are being used to file this Joint
3 Stipulation. In compliance with Civil Local Rule 5-1(i), I hereby attest that concurrence in the filing
4 of this document have been obtained from each of the other signatories.

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7 By: */s/ Rahul Mukhi* _____

8 Rahul Mukhi

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